REMARKS

Claims 1-5, 7-9, 15-19, 21, 23, 27, 28, 34-37, 39, 40, and 42-43 are pending. Claims 1, 7-9, 15-19, 21, 23, 27, 28, 34, 36-37, 39, and 40 are amended. Claims 25, 26, 38, and 41 are cancelled. Claims 42-43 are new. Support for the amendments can be found throughout the specification, for example, in at least paragraphs [0026], [0029], [0032], [0041], [0044], [0049], [0051], [0054], [0060]-[0061] and Figures 9-14. Applicant submits that these amendments do not introduce any new matter. Upon entry of this Amendment and Response, Applicant respectfully requests reconsideration and withdrawal of all rejections and allowance of the claims.

Rejection of Claims 1, 15, 24, 34, 39, and 41 under 35 U.S.C. § 112, first paragraph

The Office Action rejected claims 1, 15, 24, 34, 39, and 41 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Office Action stated that the limitations "second instruction sequence," "first software program," and "second software program" are not supported by the specification. (Office Action, p. 2.) Applicant respectfully submits that the claims have been amended to remove the identified limitations. Therefore, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Rejection of Claim 15 under 35 U.S.C. § 112, second paragraph

The Office Action rejected claim 15 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Office Action stated that "[i]t is not clear from the language if the claims [sic] seek to recite the means-plus-function language of 112/6th paragraph." (Office Action, p. 3.) Applicant respectfully submits that claim 15 has been amended to clarify the claim language in response to the Office Action. Therefore, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Rejection of Claims 15 and 24 under 35 U.S.C. § 101

The Office Action rejected claims 15 and 24 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Specifically, the Office Action stated that "it appears the

claimed invention is directed to a software program/instruction sequence which is non-statutory." (Office Action, p. 3.) Applicant respectfully submits that claim 24 has been cancelled, and therefore request reconsideration and withdrawal of the rejection of this claim.

Applicants further submit that claim 15 has been amended to recite "an execution unit, containing a processor..." As a result, Applicant respectfully submits that claim 15 recites statutory subject matter. Therefore, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Rejection of Claims 1-5, 7-9, 15-19, 21, 23-25, 27-28 and 34-41 under 35 U.S.C. § 102

The Office Action rejected claims 1-5, 7-9, 15-19, 21, 23-25, 27-28 and 34-41 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,052,506 to Fukushima et al. (hereinafter "Fukushima"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131. Applicant respectfully submits that the amended claims overcome this rejection because Fukushima fails to set forth, either expressly or inherently, each and every limitation of claim 1, namely, at least the following:

1. a shader module containing a first shader instruction sequence executable to apply a visual effect to each of one or more pixels comprising a presentable representation of the decrypted information,
2. installing...the updated shader instruction sequence on the shader module, wherein installation of the updated shader instruction sequence modifies at least a portion of the first shader instruction sequence, and
3. executing...the modified first shader instruction sequence on the shader module to: apply a visual effect to each of the one or more pixels based on the decrypted information, direct the one or more pixels with the applied visual effect to a display and store...the one or more pixels with the applied visual effect in the computer readable storage medium.

Amended independent claims 15, 24, 34, 39 and 40 contain similar claim limitations, and Applicant respectfully submits that these claims are similarly not anticipated by Fukushima.

I. Fukushima Does Not Teach A "Shader Module Containing Instructions to Apply a Visual Effect to Each of One or More Pixels Comprising a Presentable Representation of the Decrypted Information," "Direct[ing] the One or More Pixels...to a Display," Or "Stor[ing] the One or More Pixels...in the Computer Readable Storage Medium"

Fukushima discloses "a control system for a combined digital video signal receiver and digital video recording/reproducing apparatus...to provide a unified and more convenient user interface for a video programming consumer." *Id.* at 3:21-26. A user "enters into user interface 22, as by keyboard operation, a command to view [or record] a particular video signal." *Id.* at 8:58-60; *see also id.* at 9:14. "In response to a user's command to record a video signal, controller 21 issues tuner control signals...to tuner 11 to select the particular video signal [which is] supplied to digital store 23." *Id.* at 9:14-18. "Controller 21 further issues a storage control signal to digital store 23 to record the video signal." *Id.* at 9:18-19.

In addition, the "Controller 21 also issues graphics control signals to character generator 24, causing the character generator to produce character display signals corresponding to a menu or to the operating parameters or functions of receiver 10 and/or recorder 20. Adder 16 combines the video signals from decoder 12 and the character display signals from character generator 24 to produce an output video signal for display." *Id.* at 9:3-10. Fukushima describes the process of character display signal generation as follows:

> In a similar manner, character generator 15 is either substantially disabled or controlled by controller 21 through controller 13 to generate graphic displays complimentary to those produced by character generator 24. In the preferred embodiment, character generator 15 is simply disabled and character generator 24 is utilized instead *to produce menu graphics as well as graphics associated with recording/ reproducing functions for display*. In an alternative embodiment, character generator 15 and character generator 24 are both controlled by controller 21 *to produce complimentary menu graphics which are added together by adder 16 and superimposed on processed video signals from decoder* 12. For example, character generator 15 may generate graphics displays associated only with the functionality of receiver 10 while character generator 24 may generate graphics displays associated either with both receiver 10 and recorder 20 or solely with recorder 20.

Id. at 8:41-57 (emphasis added). Thus, Fukushima discloses combining the video signals and character display signals into a single output video signal for display by superimposing the character display signals over the video signals. Furthermore, Fukushima states that the graphics display signals are utilized for display only.

In contrast to Fukushima's control signals and character display signals, Applicant's claim 1 is directed to a shader module containing a shader instruction sequence that is executable to apply a visual effect to each of one or more pixels comprising a presentable representation of decrypted information. Fukushima's character display signals provide menu graphics that are superimposed on processed video signals, not directly manipulating the pixels that make up the video signals. As a result, Fukushima does not contemplate applying a visual effect to each of one or more pixels, as recited in claim 1.

Also, the shader module of Applicant's claim 1 is installed and executed to achieve the result of directing each of the pixels with the applied visual effect to a display and to store the pixels *with the applied visual effect* in a storage medium. In direct contrast, Fukushima's graphic display signals are superimposed on the video signals only in order to display menu graphics to the user, and Fukushima does not contemplate storing the combined output signal (including the graphic display signals) in a storage medium.

Thus, Applicant respectfully submits that Fukushima fails to anticipate Applicant's amended claims 1, 15, 24, 34, 39, and 40. In addition, Applicant submits that claims 2-5, 7-9, 16-19, 21, 23, 25, 27, 28, and 35-38 depend from Applicant's amended claims 1, 15, 24, 34, 39, and 40, and thus are not anticipated for at least the same reasons amended claims 1, 15, 24, 34, 39, and 40. Therefore, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection.

CONCLUSION

Applicant's discussion of particular positions of the Office Action does not constitute a concession with respect to any positions that are not expressly contested by the Applicant. Applicant's emphasis of particular reasons why the claims are patentable does not imply that there are not other sufficient reasons why the claims are patentable, nor does Applicant concede that the claims were not patentable in their unamended form.

In view of the foregoing remarks and the inability of the prior art to anticipate the invention disclosed and claimed in this application, all the claims are submitted in a condition for allowance, and notice thereof is respectfully requested. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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